

PATENT
APPLICATION NO. 10/082,760

REMARKS

Claims 1-55 are pending in this application. In the Office Action dated February 25, 2004, claims 1-11, 14-33, 36-46, and 49-53 have been rejected, and claims 12, 13, 34, 35, 47, 48, 54, and 55 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent format. Claims 12, 13, 34, 35, 47, 48, 54, and 55 have been amended to include all of the limitations of the base claim and any intervening claims. Applicants respectfully submit no new matter was added by these Amendments. Accordingly, claims 1-55 are at issue.

35 U.S.C. § 102

Claims 1-11, 14-33, 36-46, and 49-53 have been rejected under 35 USC § 102(a) as being anticipated by Engdahl, US Patent 6,282,455 (hereafter "Engdahl"). Applicants respectfully traverse this rejection, noting that the Engdahl patent does not contain each and every limitation of the above claims.

Claim 1 is generally directed to a method for monitoring a factory process. Claim 1 requires, among other limitations, "displaying the factory process in real-time as a three-dimensional, free-camera, computer generated representation of the process as a whole". Contrary to the rejection presented in the Office Action, Engdahl does not disclose all of these limitations.

First, Engdahl does not disclose or suggest a "free-camera" representation of the process as required by claim 1. The term "free-camera" is defined in the present invention on page 6, starting at line 17. Specifically, according to the application "the 'free camera' aspect permits the operator at the monitor 28 to view the virtual image of the motorized pump 16, or any other sub task, from effectively every orientation, including permitting the operator to visually zoom in and out". Engdahl does not disclose a free camera as defined in the present application. Instead, Engdahl describes a much more

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limited view of the factory process. In the Abstract, Engdahl discusses moving between the objects, and in the description at column 3, lines 3-8, describes that a selected image may be moved. However, this is much more limited and quite different from viewing from every orientation and magnification as "free-camera" is defined in the present invention. Engdahl simply did not anticipate such a wide freedom of movement and zoom-out capabilities as are claimed in claim 1.

Second, Engdahl does not describe the factory process as a whole as being monitored in real-time. There is some discussion of real-time in Engdahl at column 7, lines 3-7 which provides that a "watch tool 70 is used for measuring real-time occurrences in the factory environment as reflected in its virtual depiction or for modifying the relationship between virtual time and real time in instances where troubleshooting and simulation of the factory may be desired." However, this is a discussion of measuring real-time data, not displaying the data in real-time. In fact, the information is described as a "virtual depiction" rather than a real-time representation as required by claim 1. Furthermore, this depiction is only described for a specific item, as opposed to the requirement in claim 1 that the real-time displaying be of the "process as a whole."

Accordingly, Engdahl does not disclose each limitation of claim 1 and therefore does not anticipate this claim. See e.g. *RCA Corp. v. Applied Digital Data Systems*, 730 F.2d 1440, 1444 (Fed. Cir. 1984) (Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention.)

Independent claims 14, 23, 36, and 49 all contain the same real-time, free-camera representation of the process as a whole. As a result, each of these claims are not anticipated by Engdahl.

Claims 2-11, 15-22, 24-33, 37-46, and 50-53 are dependent claims that are based upon the independent claims 1, 14, 23, 36, or 49. Since the independent claims are

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distinguishable over Engdahl, the dependent claims must also be distinguishable over Engdahl.

Applicants therefore request that the rejection of claims 1-11, 14-33, 36-46, and 49-53 under 35 USC §102 be removed.


Objections

Claims 12, 13, 34, 35, 47, 48, 54, and 55 are objected to as being dependent claims based upon a rejected base claim. The Examiner has indicated that these claims would be allowable if rewritten in independent form. Applicant has amended these claims accordingly. Therefore these claims should be in condition for allowance.

Conclusion

Accordingly, Applicants submit that, in light of the above remarks and amendments, claims 1-55 are in condition for allowance. Applicants wish to thank the Examiner for his indication that claims 12, 13, 34, 35, 47, 48, 54, and 55 will be allowed with the present amendment. Applicants respectfully request the Examiner to withdraw the rejections to the remaining claims and to allow the claims to issue. The commissioner is authorized to charge deposit account 19-3875 (SAA-70) for any fees associated herein.

Respectfully submitted,

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